IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.P.BALACHANDRAN

THURSDAY, THE 24TH MAY 2007 / 3RD JYAISHTA 1929

WP(C).No. 15230 of 2007(K)

PETITIONER:

K. HARIKUMAR, AGED 32 YEARS,
S/O.KRISHNA PANICKER, KARIKKINTHIALA
PUTHENVEETTIL HOUSE, VEERANAKKAVU VILLAGE,
NEDUMANGADU, THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.C.C.THOMAS

RESPONDENTS:
---

1. STATE OF KERALA, REPRESENTED BY ITS
SECRETARY (HOME), GOVT.SECRETARIAT,
THIRUVANANTHAPURAM.

2. THE SUB INSPECTOR OF POLICE,
KAZHAKOOTTAM POLICE STATION,
THIRUVANANTHAPURAM.

3. THE CIRCLE INSPECTOR OF POLICE,
KAZHAKOOTTAM, THIRUVANANTHAPURAM DIST.

4. THE DEPUTY SUPERINTENDENT OF POLICE,
ATTINGAL, THIRUVANANTHAPURAM.

5. THE DISTRICT SUPERINTENDENT OF POLICE
(RURAL), THIRUVANANTHAPURAM.

6. THE ASST.EXCISE COMMISSIONER,
THIRUVANANTHAPURAM.

7. THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM.

8. SREESAN NAIR, PANAYIL VEEDU,
KARIYIL, KAZHAKOOTTAM P.O.,
THIRUVANANTHAPURAM DISTRICT.

9. SREEKUMARAN NAIR, PANAYIL VEEDU,
KARIYIL, KAZHAKOOTTAM P.O.,
THIRUVANANTHAPURAM DISTRICT.

R1 TO R7 BY G.P.SRI.P.A.SALIM
BY ADV. SRI.M.V.THAMBAN FOR R8
SRI.V.K.SATHYANATHAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 24/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)NO.15230 OF 2007

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: PHOTOCOPY OF THE TODDY SHOP LICENSE NO.130/2007-08/TVPM IN RESPECT OF TODDY SHOP NO.6/2007-07 ISSUED BY THE ASST. EXCISE COMMISSIONER, THIRUVANANTHAPURAM ON 10.5.2007.

EXT.P2: PHOTOCOPY OF THE PETITION DATED 12.5.2007 SUBMITTED BEFORE THE 2ND RESPONDENT.

EXT.P3: PHOTOCOPY OF THE PETITION DATED 13.5.2007 SUBMITTED BEFORE THE 2ND RESPONDENT WITH COPIES TO RESPONDENTS 3 TO 5.

// TRUE COPY //

TKS

J.B.KOSHY & K.P.BALACHANDRAN, JJ.

W.P.(C)No.15230 OF 2007

Dated 24th May, 2007

JUDGMENT

Koshy,J.

This is a petition for police protection to toddy shop No.6 in Kazhakoottam excise range covered by Ext.P1 licence. It is the case of the contesting respondents that the shop is situated in an objectionable place and they filed various representations. Ext.R8(k) is one of the representations filed before the Excise Commissioner. It is a mass representation signed by 282 persons. It is also submitted that the toddy shop is not located in the place where licence is granted. In the circumstances of the case, sixth respondent is directed to look into the matter and pass appropriate orders within two weeks from today. But, so long as licence is there and if police is satisfied that the shop is functioning in the licensed premises, police should see that law and order is maintained and no obstruction is caused in running of the toddy shop and also to see that workers and customers are not obstructed.

The writ petition is disposed of accordingly.

J.B.KOSHY
JUDGE

K.P.BALACHANDRAN
JUDGE

tks